

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

**GNC FRANCHISING, LLC f/k/a GNC
FRANCHISING, INC., and GENERAL
NUTRITION CORPORATION,**

Plaintiffs,

v.

**SHABANA FARID, MAZHAR FARID and
VITAL, INC.,**

Defendants.

2:05-cv-1741

ORDER

On this 11th day of April, 2006, after consideration of the Plaintiffs GNC Franchising, LLC and General Nutrition Corporation's motion for preliminary injunction, and with Defendants' failure to respond, appear for hearing and/or object, it is hereby **ORDERED**, **ADJUDGED and DECREED** that Plaintiffs' motion is **GRANTED**, and that Defendants, their officers, agents, servants, employees and attorneys, as well as all persons in active concert or participation with them, are preliminarily enjoined from : 1) operating the Perris Store (as defined in the motion for preliminary injunction); 2) using GNC's proprietary marks, trademarks and tradenames; 3) advertising for sale any products or materials containing GNC's trademarks or tradenames; 4) operating another store similar to GNC within a five mile radius of the Perris Store; 6) holding themselves out to the public as authorized franchisees of GNC in any manner whatsoever; 7) removing, destroying, selling or otherwise disposing of any furniture, fixtures, equipment and inventory, including product or material that contains GNC's proprietary marks, trademarks or tradenames. Defendants are further order to comply with each of the post-

termination obligations set forth in the franchise agreement entered into with GNC Franchising, LLC with respect to the operation of the Perris Store.

This injunction will become effective upon the posting of an injunction bond by Plaintiffs in the amount of One Thousand Dollars (\$1,000).

BY THE COURT:

s/ Terrence F. McVerry
United States District Court Judge

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